

State of California, State Water Resources Control Board

Division of Water Rights

P.O. Box 2000, Sacramento, CA 95812-2000

Info: (916) 341-5300, FAX: (916) 341-5400 Web: <http://waterrights.ca.gov>

S009989

2005, 2006, 2007

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE FORM

Owner(s) of Record:

BIAGGINI BROTHERS

Notifying the Division of Water Rights of ownership or address changes is the responsibility of the claimant

Please Complete and Return This Form by JULY 1, 2008

Primary Contact:

BIAGGINI BROTHERS
1148 MARKET AVE
MORRO BAY, CA 93442

Agent:

Address:

Phone No. 805-772-2158

Fax No.

E-mail Address:

Phone No.

Fax No.

E-mail Address:

Source Name: UNSP

Tributary To:

County: San Luis Obispo

Diversion within: SE 1/4 of NE 1/4 Section 3, T 29 S, R 11 E, MDB&M

Year of First Use: 1896

Name of Diversion works:

Assessor Parcel Number
of the Diversion site:

STATE WATER RESOURCES CONTROL BOARD
2008 JUL -7 PM 1:28
DIV OF WATER RIGHTS
SACRAMENTO

A. **Water is Used Under:** Riparian claim ___ Pre-1914 claim ☒ Court Decree No.: ___ Other (explain): ___

B. **Year of First Use:** (Please provide if missing in the Division of Rights database (ewrims)) ___

C. **Rate of Diversion:** The rate of diversion of water for each month used and entered in the table below is shown in units of:
Gallons per minute (gpm) ___ Gallons per day (gpd) Y Cubic feet per second (cfs) ___

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Average Rate
2005	432,000												432,000
2006	432,000												432,000
2007	432,000												432,000

D. **Quantity of Water Used:** The quantity of water used each month and entered in the table below is shown in units of:
Gallons ___ Million Gallons (MG) ___ Acre-feet (AF) **XXXXXXXXXX**

Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2005	432,000												432,000
2006	432,000												432,000
2007	432,000												432,000

E. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation ___ acres; Stockwatering 100; Domestic ___;
Other (specify) CATTLE

Parcel Number(s) of Place of Use: ___

F. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.) NONE

G. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: ___

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:
Year ___ (AF/MG) Year ___ (AF/MG) Year ___ (AF/MG)

Reduction in consumptive use:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO ☒ _____
- b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:
Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES _____ NO _____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES _____ NO _____
- b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES _____ NO _____

I understand that it may be necessary to document the water savings claimed in "F" above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: **June 30** ²⁰**08** at **MORRO BAY**, California

SIGNATURE: _____

PRINTED NAME: _____

HAROLD

J

BIAGGINI

(first name)

(middle initial)

(last name)

COMPANY NAME: _____

BIAGGINI BROTHERS

ITEM

If there is insufficient space for your answers, please use the space provided below or add an attachment sheet.
CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. After the formation of the California Water Commission back on December 19, 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.



S009989%S%2004

2002-2003-2004

2005 JUL 11 AM 11:25

DIVISION OF WATER RIGHTS
SACRAMENTO

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.

Notify this office if ownership or address changes occur during the coming year.
Please Complete and Return This Form by JULY 1, 2005.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: BIAGGINI BROTHERS;

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

BIAGGINI BROTHERS

STATEMENT NO.: S009989
CONTACT PHONE NO.: (805)772-2158

**1148 MARKET AVE
MORRO BAY, CA 93442**

Source Name: Unnamed Spring
Tributary To: MORRO CREEK
County: San Luis Obispo
Diversion Within: SE1/4 of NE1/4 Section 03, T29S, R11E, MB&M

Year of First Use: 1896

Parcel Number:

A. **Water is Used Under:** Riparian claim _____ Pre-1914 right ☒ Other (explain): _____

B. **Year of First Use:** (Please provide if missing above) _____

C. **Amount of Use:** Enter the amount (or the approximate amount) of water used each month, using the table below.

Amounts below are in: Gallons			Million Gallons (MG)				Acre-feet (AF)				Other Variable		
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
2002													
2003	ALL YEARS AND ALL MONTHS												
2004													

D. **Purpose of Use** – Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering **100**; Domestic _____

Other (specify) **Cattle**

E. **Changes in Method of Diversion** – Describe any changes in your project since your previous statement was filed.
(New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES _____ NO _____
Describe any water conservation efforts you have initiated: _____

b. If you are claiming credit for water conservation under section 1011 of the Water Code for your claimed pre-1914 appropriative right, please show the amount of water conserved:

Reduction in Diversions:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

Reduction in consumptive use:

Year _____ (AF/MG) Year _____ (AF/MG) Year _____ (AF/MG)

I have data to support the above surface water use reductions due to conservation efforts. YES _____ NO _____

2. Water quality and wastewater reclamation

a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility, or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES ____ NO ☒

b. If you are claiming credit due to the substitution of reclaimed water, desalinated water or polluted water in lieu of a claimed pre-1914 appropriative right under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of substitute water supply used:

Amount of reduced diversion:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

State the type of substitute water supply: _____

Amount of substitute water supply used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of a substitute water supply. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

a. Are you now using groundwater in lieu of surface water? YES ____ NO ____

b. If you are claiming credit due to the substitution of groundwater for a claimed pre-1914 appropriative right under section 1011.5 of the Water Code, please show the amounts of groundwater used:

Year ____ (AF/MG) Year ____ (AF/MG) Year ____ (AF/MG)

I have data to support the above surface water use reductions due to the use of groundwater. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in ~~F~~ above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: June 28, 2005 at Morro Bay, California

SIGNATURE: _____

PRINTED NAME: Harold J Biaggini
(first name) (middle initial) (last name)

COMPANY NAME: Biaggini Brothers

If there is insufficient space for your answers, please use the space provided below.

ITEM	CONTINUATION
_____	_____
_____	_____
_____	_____
_____	_____
_____	_____

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, water previously stored by others, return flows from use of groundwater, or other "foreign" water to the natural stream system.

An appropriative right is required for use of water on non-riparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include: (1) Statements of Water Diversion and Use, (2) Information Pertaining to Water Rights in California, and (3) Appropriation of Water in California.

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.



S009989%\$%2001

1999, 2000, 2001

Please Complete and Return This Form by July 1, 2002.

*If the mail recipient's name, address or phone No. is wrong or missing, please correct.

Owner of Record: BIAGGINI BROTHERS

PRIMARY CONTACT OR AGENT FOR MAIL & REPORTING:

BIAGGINI BROTHERS
1148 MARKET ST
MORRO BAY, CA 93442

STATEMENT NO.: S009989
CONTACT PHONE NO.: (805)772-2158

FOR ONLINE REPORTING AT
www.waterrights.ca.gov

USER NAME: S009989
PASSWORD: C16499

Source Name: Unnamed Spring
Tributary To: MORRO CREEK
County: San Luis Obispo
Diversion Within: SE1/4 of NE1/4 Section 03, T29S, R11E, MB&M

Year of First Use: 1896
Parcel Number:

A. Water is used under: Riparian claim _____ Pre 1914 right ☒ Other (explain): _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount (or the approximate amount) of water used each month. -

Amounts below are: Gallons Acre-feet Other Variable													
Year	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec	Total Annual
1999													
2000	ALL YEARS AND ALL MONTHS												
2001													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering **100** ; Domestic _____

Other (specify) **Cattle**

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NONE

F. Please answer only those questions below which are applicable to your project.

1. Conservation of water

a. Are you now employing water conservation efforts? YES ___ NO ___
Describe any water conservation efforts you have initiated: _____

b. If credit toward beneficial use of water under claimed pre 1914 appropriative water right for water not used due to a conservation effort is claimed under section 1011 of the Water Code, please show the amounts of water conserved:

Reductions in Diversions:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

Reductions in consumptive use:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)

I have data to support the above surface water use reductions due to conservation efforts. YES ___ NO ___

2. Water quality and wastewater reclamation

- a. Are you now or have you been using reclaimed water from a wastewater treatment facility, desalination facility or water polluted by waste to a degree which unreasonably affects such water for other beneficial uses? YES _____ NO **X** _____.
- b. If credit toward use under a claimed pre 1914 appropriative water right through substitution of reclaimed water, desalinated water or polluted water in lieu of appropriated water is claimed under section 1010 of the Water Code, please show amounts of reduced diversions and amounts of reclaimed water used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to wastewater reclamation. YES ____ NO ____

3. Conjunctive use of surface water and groundwater

- a. Are you now using groundwater in lieu of surface water? YES ____ NO ____.
- b. If credit toward use under a claimed pre 1914 appropriative right through substitution of groundwater in lieu of appropriated water is claimed under section 1011.5 of the Water Code, please show the amounts of groundwater used:

yr _____ (af/mg) yr _____ (af/mg) yr _____ (af/mg)
I have data to support the above surface water use reductions due to conjunctive use efforts. YES ____ NO ____

I understand that it may be necessary to document the water savings claimed in "F." above if credit under Water Code sections 1010 and 1011 is sought in the future.

I declare that the information in this report is true to the best of my knowledge and belief.

DATE: **June 12**, 20**02** at **Morro Bay**, California

SIGNATURE: *Harold J Biaggini*

PRINTED NAME: **Harold** **J** **Biaggini**
(first name) (middle init.) (last name)

COMPANY NAME: **Biaggini Brothers**

If there is insufficient space for your answers, please use the space provided below.

ITEM --- CONTINUATION

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914, new appropriators have been required to obtain a permit and license from the State. Appropriative rights can be granted to waters "foreign" to the natural stream system.

Statements of Water Diversion and Use must be filed by riparian and pre 1914 appropriative water users as set forth in Water Code section 5100 with specific exceptions. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversions, and (3) assists the State to determine if additional water is available for future appropriators.

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"The energy challenge facing California is real. Every California needs to take immediate action to reduce energy consumption. For a list of simple ways you can reduce demand and cut your energy costs, see our Web-site at <http://www.swrcb.ca.gov>"

STATE WATER RESOURCES CONTROL BOARD

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

99 JUN 25 AM 10:25

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: BIAGGINI BROS

STATEMENT NO: S009989

1148 BIAGGINI BROS
1164 MARKET STREET
MORRO BAY, CA 93442

SOURCE: UNSP
TRIBUTARY TO: MORRO CREEK
COUNTY: SAN LUIS OBISPO
DIVERSION

TELEPHONE NUMBER:
(805) 772-2158
YEAR OF FIRST USE: 1896
PARCEL NO:

WITHIN: SE~~4~~ OF NE~~4~~ SECTION 3, T29S, R11E, MB&M.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) Variable

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC.	TOTAL ANNUAL
1996													
1997	All years and all months												
1998													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering 100 head; Domestic _____
Other (specify) Cattle

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 10 June 1999, 1999, at Morro Bay, California

SIGNATURE: Harold Biagini

PRINTED NAME: Harold (FIRST NAME) J. (M. NAME) Biagini (LAST NAME)

COMPANY NAME: Biagini Bros

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

JUL 27 1999

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

If the information below is inaccurate, please line it out in red and provide current information.
Notify this office if ownership or address changes occur during the coming year.

PLEASE COMPLETE AND RETURN THIS FORM BY JULY 1, 1996.

OWNER OF RECORD: BIAGGINI BROS

BIAGGINI BROS
1148 1164 MARKET STREET
MORRO BAY, CA 93442

STATEMENT NO: S009989

SOURCE: UNSP
TRIBUTARY TO: MORRO CREEK
COUNTY: SAN LUIS OBISPO
DIVERSION

TELEPHONE NUMBER:
(805) 772-2158
YEAR OF FIRST USE: 1896
PARCEL NO:

WITHIN: SE $\frac{1}{4}$ OF NE $\frac{1}{4}$ SECTION 3, T29S, R11E, MB&M.

A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____

B. Year of first use (Please provide if missing above) _____

C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) Variable

YEAR	JAN.	FEB.	MAR.	APR.	MAY	JUNE	JULY	AUG.	SEPT	OCT.	NOV.	DEC	TOTAL ANNUAL
1993													
1994	All years and all months												
1995													

D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____ acres; Stockwatering 100 head; Domestic _____
Other (specify) Cattle

E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)
None

F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 10 June, 1994, at Morro Bay, California

SIGNATURE: Harold Biagini

PRINTED NAME: Harold (FIRST NAME) J. (M. NAME) Biagini (LAST NAME)

COMPANY NAME: Biagini Bros

See back of page for General Information. If there is insufficient space for your answers, please number them in the space provided on the back of this form.

STATE WATER RESOURCES CONTROL BOARD

DIVISION OF WATER RIGHTS

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
(916) 657-1875

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

DIV. OF WATER RIGHTS STATEMENT NO: 009989
SACRAMENTOBIAGGINI BROS
1164 MARKET STREET
MORRO BAY, CA 93442TELEPHONE NUMBER:
(805) 772-2158

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: MORRO CREEK

COUNTY: SAN LUIS OBISPO

YEAR OF FIRST USE: 1896

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 03, T29S, R11E, MDB&M.

COMPLETE AND RETURN THIS FORM BY JULY 1, 1994

- A. Water is used under: Riparian claim _____; Pre 1914 right _____; Other (explain) _____
- B. Year of first use (Please provide if missing above) _____
- C. Amount of Use - Enter the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other) Variable

JAN. FEB. MAR. APR. MAY JUNE JULY AUG. SEPT. OCT. NOV. DEC. TOTAL ANNUAL

1991													
1992	} all months and all years												
1993													

- D. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.
Irrigation _____ acres; Stockwatering 100 head Cattle Domestic _____
Other (specify) _____

- E. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

- F. If part of the water listed in Part C consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 7 March, 19 94, at Morro Bay, CaliforniaSignature: Harold Biagini

FEB 28 1994

RECEIVED

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the sources of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriate right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

"Statements of Water Diversion and Use"

"Information Pertaining to Water Rights in California"

"Water Rights for Stockponds Constructed Prior to 1969"

"Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95812-2000
901 P ST. SACRAMENTO, CA 95814

(916) 322-4503
(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

1991 FEB -6 AM 9:10

DIVERTER OF RECORD:

BIAGGINI BROS
1164 MARKET STREET
MORRO BAY, CA 93420

93442

DIV. OF WATER RIGHTS
SACRAMENTO

STATEMENT NO: 009989

TELEPHONE NUMBER:

(805) 772 2158

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: MORRO CREEK

COUNTY: SAN LUIS OBISPO

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 03, T29S, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1991. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts
below are:

- ☐ Gallons
☐ Acre-feet
☐ _____ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1988	all months -												
1989													
1990													

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation _____

Stockwatering _____

Domestic _____

Other (specify) _____

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

No change

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: 28 Jan, 1991, at Morro Bay, Ca., California

Signature: Harold Biaggi

RECEIVED

JAN 20 1991

BUENA VISTA MINES, INC.

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

There are two principal types of surface water rights in California. They are riparian and appropriative rights.

A riparian right enables an owner of land bordering a natural lake or stream to take and use water on his riparian land. Riparian land must be in the same watershed as the water source and must never have been severed from the source of supply by an intervening parcel without reservation of the riparian right to the severed parcel. Generally, a riparian water user must share the water supply with other riparian users. Riparian rights may be used to divert the natural flow of a stream but may not be used to store water for later use or to divert water which originates in a different watershed, or return flows from use of groundwater.

An appropriative right is required for use of water on nonriparian land and for storage of water. Generally, appropriative rights may be exercised only when there is a surplus not needed by riparian water users. Since 1914 new appropriators have been required to obtain a permit and license from the State.

Statements of Water Diversion and Use must be filed by riparian and pre-1914 appropriative water users. The filing of a statement (1) provides a record of water use, (2) enables the State to notify such users if someone proposes a new appropriation upstream from their diversion, and (3) assists the State to determine if additional water is available for future appropriators.

The above discussion is provided for general information. For more specific information concerning water rights, please contact an attorney or write to this office. We have several pamphlets available. They include:

- "Statements of Water Diversion and Use"
- "Information Pertaining to Water Rights in California"
- "Water Rights for Stockponds Constructed Prior to 1969"
- "Appropriation of Water in California"

STATE OF CALIFORNIA
STATE WATER RESOURCES CONTROL BOARD
Division of Water Rights

P.O. BOX 2000 SACRAMENTO, CA 95810
901 P ST. SACRAMENTO, CA
(916) 322-4503

(916) 324-5676

SUPPLEMENTAL STATEMENT OF WATER DIVERSION AND USE

DIVERTER OF RECORD:

STATEMENT NO: 009989

BIAGGINI BROS
1164 MARKET STREET
MORRO BAY, CA 93420

TELEPHONE NUMBER:
(805) 544-1844

IF NAME/ADDRESS/PHONE NO. IS WRONG OR MISSING, PLEASE CORRECT.

SOURCE: UNNAMED SPRING

TRIBUTARY TO: MORRO CREEK

COUNTY: SAN LUIS OBISPO

DIVERSION

WITHIN: SE1/4 OF NE1/4 SECTION 03, T29S, R11E, MDB&M.

INSTRUCTIONS: Please complete Items A, B and C. Item D should be completed if you replaced all or part of your regular water supply with reclaimed or polluted water. RETURN THIS FORM BY JULY 1, 1988. (Additional information on reverse side of this form.)

A. Amount of Use - Fill in the amount of water used each month. If monthly and annual use are not known, check the months in which water was used.

Amounts below are: ☐ Gallons ☐ Acre-feet ☐ (other)

	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1985	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1986	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	
1987	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	

B. Purpose of Use - Specify number of acres irrigated, stock watered, persons served, etc.

Irrigation

Stockwatering 100 HD OF CATTLE

Domestic

Other (specify)

C. Changes in Method of Diversion - Describe any changes in your project since your previous statement was filed. (New pump, enlarged diversion dam, location of diversion, etc.)

NO CHANGE

D. If part of the water listed in Part A consists of reclaimed or polluted water, please indicate the annual amounts of reclaimed or polluted water in the space below.

I declare under penalty of perjury that the information in this report is true to the best of my knowledge and belief.

DATED: MAR 17, 1988, at MORRO BAY, CA 93442, California

Signature:

Ed Braggini Jr. (PARTNER)

GENERAL INFORMATION PERTAINING TO WATER RIGHTS IN CALIFORNIA

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- "Appropriation of Water in California"

28 Jan 1991

Files- S-9989

State Water Resources Control Board
Division of Water Rights

We are requesting that
the State mail us copies of the
Water rights we have in regard to
the spring referred to in this
Statement number 009989

Sincerely,
Narolff Baagg

copy of S9989
Sent 2/1/91
WR

STATE WATER RESOURCES CONTROL BOARD
DIVISION OF WATER RIGHTSSTATEMENT OF WATER DIVERSION AND USE
(This is not a Water Right)

This statement should be typewritten or legibly written in ink

NOV 13 4 15 PM '79

A. Name of person diverting water Biaggini Bros. DIV. OF WATER RIGHTS
Address 1164 Market Street, Morro Bay, CA 93420 Telephone: 805 544 1844B. Name of body of water at point of diversion unnamed spring No. 3
Tributary to Morro CreekC. Place of diversion 5 1/2 NE 1/4 Section 3, Township 29S, Range 11E, MD B&M,
San Luis Obispo County, or locate it on sketch of section grid on reverse side with regard to section
lines or prominent local landmarks.D. Name of works —E. Capacity of diversion works — cubic feet per second
Capacity of storage reservoir — gallons per minute
State quantity of water used each month in gallons or acre-feet

Year	Jan.	Feb.	Mar.	Apr.	May	June	July	Aug.	Sept.	Oct.	Nov.	Dec.	Total Annual
1979	x	x	x	x	x	x	x	x	x	x	x	x	

If monthly and annual use are not known, check months in which water was used. State extent of use in
units, such as acres of each crop irrigated, average number of persons served, number of stock watered, etc.
100 head of cattleMaximum annual water use in recent years — gallonsMinimum annual water use in recent years — gallonsType of diversion facility: gravity X, pump —Method of measurement: weir —, flume —, electric power meter —, water meter —, estimate —F. Purpose of use (what water is being used for) StockwateringG. General description or location of place of use (use sketch of section grid on reverse side if you desire)
Refer to attached mapH. Year of first use as nearly as known 1896I. Name of person filing statement Ed BiagginiPosition Partner Organization Biaggini Bros.Address 1164 Market Street, Morro Bay, CA 93420 Telephone 805 544 1844

I declare under penalty of perjury that the above is true and correct to the best of my knowledge and belief.

DATED: November 13, 19 79, at Sacramento, California.Signature: Ed Biaggini

See Instructions on Reverse Side